

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff

vs.

KEVIN A. YOUNGS

Defendant

CIVIL NO.

COMPLAINT

The United States of America, on behalf of its Agency, the Department of Education, by its specially appointed counsel, Colleen M. Hirst, KML Law Group, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendant, KEVIN A. YOUNGS, is 161 Grand Street, New Milford, New Jersey 07646-2652.
3. Defendant owes Plaintiff the principal sum of \$85,720.92, plus interest of \$43,390.92, for a total of \$129,111.84. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

- (A) In the amount of \$129,111.84 with interest from 3/27/2018.
- (B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.
- (C) Interest to accrue at the rate of 6.5% to the date of judgment..
- (D) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.
- (E) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through
Its specially assigned counsel
KML Law Group, P.C.



Colleen M. Hirst, Esquire
216 Haddon Ave., Suite 406
Westmont, NJ 08108
Phone: 215-627-1322
chirst@kmllawgroup.com

Dated: 5/31/2018

UNITED STATES DISTRICT COURT
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Plaintiff

CIVIL NO.

vs.

KEVIN A. YOUNGS

Defendant

EXHIBITS

“A” CERTIFICATE OF INDEBTEDNESS

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

The United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
KML Law Group, P.C. – Colleen M. Hirst, Esquire
216 Haddon Avenue, Ste 406, Westmont, NJ 08018
215-627-1322; CHirst@kmllawgroup.com**DEFENDANTS**KEVIN A. YOUNGS
161 Grand Street
New Milford, NJ 07646-2652County of Residence of First Listed Defendant Bergen
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known) _____

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

X 1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	X 1	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC 881	422 Appeal 28 USC 158
120 Marine	310 Airplane	365 Personal Injury - Product Liability	690 Other	423 Withdrawal 28 USC 157
130 Miller Act	315 Airplane Product Liability	367 Health Care/ Pharmaceutical		PROPERTY RIGHTS
140 Negotiable Instrument	320 Assault, Libel & Slander	Personal Injury	820 Copyrights	375 False Claims Act
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	Product Liability	830 Patent	400 State Reapportionment
151 Medicare Act	340 Marine	368 Asbestos Personal Injury Product Liability	840 Trademark	410 Antitrust
X 152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability			430 Banks and Banking
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	PERSONAL PROPERTY	710 Fair Labor Standards Act	450 Commerce
160 Stockholders' Suits	355 Motor Vehicle Product Liability	370 Other Fraud	720 Labor/Management Relations	460 Deportation
190 Other Contract	360 Other Personal Injury	371 Truth in Lending	740 Railway Labor Act	470 Racketeer Influenced and Corrupt Organizations
195 Contract Product Liability	362 Personal Injury - Medical Malpractice	380 Other Personal Property Damage	751 Family and Medical Leave Act	480 Consumer Credit
196 Franchise		385 Property Damage Product Liability	790 Other Labor Litigation	490 Cable/Sat TV
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	791 Employee Retirement Income Security Act	850 Securities/Commodities/ Exchange
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:		890 Other Statutory Actions
220 Foreclosure	441 Voting	463 Alien Detainee	861 HIA (1395ff)	891 Agricultural Acts
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate Sentence	862 Black Lung (923)	893 Environmental Matters
240 Torts to Land	443 Housing/ Accommodations	530 General	863 DIWC/DIW (405(g))	895 Freedom of Information Act
245 Tort Product Liability	445 Amer. w/Disabilities Employment	535 Death Penalty	864 SSID Title XVI	896 Arbitration
290 All Other Real Property	446 Amer. w/Disabilities Other	Other:	865 RSI (405(g))	899 Administrative Procedure Act/Review or Appeal of Agency Decision
	448 Education	540 Mandamus & Other		950 Constitutionality of State Statutes
		550 Civil Rights	FEDERAL TAX SUITS	
		555 Prison Condition	870 Taxes (U.S. Plaintiff or Defendant)	
		560 Civil Detainee - Conditions of Confinement	871 IRS—Third Party	
			26 USC 7609	
			IMMIGRATION	
		462 Naturalization Application		
		465 Other Immigration Actions		

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1345

Brief description of cause:

Enforced Collections**VII. REQUESTED IN COMPLAINT:**CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.**DEMAND \$**CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No **VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

5/31/2018

SIGNATURE OF ATTORNEY OF RECORD

s/ Colleen M. Hirst, Esquire

FOR OFFICE USE ONLY

U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Kevin A. Youngs
161 Grand St.
New Milford, NJ 07646-2652
Account No. XXXXX7696

I certify that U.S. Department of Education records show that the BORROWER named above is indebted to the United States in the amount stated below plus additional interest from 03/27/18.

On or about 07/22/04, the BORROWER executed a promissory note to secure a Direct Consolidation loan from the U.S. Department of Education. This loan was disbursed for \$30,550.62 and \$33,067.61 on 09/03/04 at 6.5% interest per annum. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685). The Department demanded payment according to the terms of the note, and the BORROWER defaulted on the obligation on 02/02/12. Pursuant to 34 C.F.R. § 685.202(b), a total of \$22,102.69 in unpaid interest was capitalized and added to the principal balance.

The Department has credited a total of \$2,029.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the BORROWER now owes the United States the following:

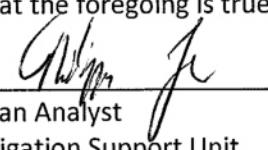
Principal: \$85,720.92
Interest: \$43,390.92

Total debt as of 03/27/18: \$129,111.84

Interest accrues on the principal shown here at the rate of \$15.25 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 5-3-13



Loan Analyst
Litigation Support Unit

Philippe Guillot
Loan Analyst

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff)
v.) Civil Action No.

Defendant)

)

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (*name of individual and title, if any*) _____
was received by me on (*date*) _____.

I personally served the summons on the individual at (*place*) _____
on (*date*) _____; or _____

I left the summons at the individual's residence or usual place of abode with (*name*) _____
, a person of suitable age and discretion who resides there,
on (*date*) _____, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) _____, who is
designated by law to accept service of process on behalf of (*name of organization*) _____
on (*date*) _____; or _____

I returned the summons unexecuted because _____; or _____

Other (*specify*): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: